

16-14-070 Review of reports--Approval procedure.

1. In order to fulfill the purposes of this chapter, the Morgan County Engineer, Morgan County Planner, and/or Morgan County Building Official, shall review any proposed land use which requires preparation of a geologic hazard report under this chapter to determine the possible risks to the safety of persons or property from geologic hazards.
2. Prior to consideration of any such development for preliminary plat by the County, the geologic hazard report shall be submitted to Morgan County for review and recommendation. Morgan County may request other experts to review the report (third-party review) and provide additional recommendations. The cost of said third-party review shall be the responsibility of the developer. Morgan County shall retain a copy in the Community Development Department project file.
3. Morgan County and other retained experts in their review of the report, and the County Council in its consideration of the development, shall determine whether the development complies with all of the following standards:
 - A. A suitable geologic hazard report has been prepared by a qualified professional as defined in Chapter 16-14-060;
 - B. The proposed land use does not present an unreasonable risk to the safety of persons or property (including buildings, storm drains, public streets, utilities or critical facilities, whether off-site or on-site), or to the natural functions of the landscape (e.g. slopes, streams or other waterways, drainage, wildlife habitat, etc., whether off-site or on-site) because of the presence of geologic hazards or because of modifications to the site due to the proposed land use;
 - C. The proposed land use may be approved if the reports submitted by the applicant demonstrate that, consistent with the state of the practice, the identified hazards can be mitigated to a level where the risk to human life and damage to property are reduced to an acceptable and reasonable level in a manner which will not violate applicable federal, state, or local statutes, ordinances or regulations. Mitigation measures should consider, in their design, the intended aesthetic functions of other governing ordinances.
4. Any area determined to contain geologic hazards to life or property shall not be approved for development unless the applicant demonstrates that the identified hazards or limitations can be reduced to an acceptable and reasonable manner. The applicant must include, with the geologic hazards report, a mitigation plan that defines how the identified hazards or limitations will be addressed, as described in Chapter 16-14-060, above, and without impacting or affecting off-site areas.
5. Morgan County may set other requirements as are necessary to overcome any geologic hazards and to ensure that the purposes of this chapter are met. These requirements may include, but are not limited to:
 - A. Additional or more detailed studies to understand or quantify the hazard or determine whether mitigation measures recommended in the report are adequate;
 - B. Specific mitigation requirements; establishing buildable and/or non-buildable areas; limitations on slope grading; and/or revegetation;
 - C. Installation of monitoring equipment and seasonal monitoring of surface and subsurface geologic conditions, including groundwater levels;
 - D. Other requirements such as time schedules for completion of the mitigation, phasing of development, etc.
6. Morgan County may also set requirements necessary to reduce the risks from geologic hazards as a condition to the approval of any development which requires a geologic hazards report.